

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Yoan Henriquez <div style="text-align: center;">Debtor(s)</div> BANK OF AMERICA, N.A. <div style="text-align: center;">Movant</div> <div style="text-align: center;">vs.</div> Yoan Henriquez <div style="text-align: center;">Respondent(s)</div>	BK NO. 20-12166 PMM Chapter 13 Hearing Date: 07/09/20
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**OBJECTION OF BANK OF AMERICA, N.A.
TO CONFIRMATION OF CHAPTER 13 PLAN**

BANK OF AMERICA, N.A. (hereinafter Secured Creditor), objects to confirmation of Debtor's Chapter 13 plan and asserts in support of its Objection as follows:

1. On May 11, 2020, Secured Creditor filed a secured proof of claim setting forth the total debt in the amount of \$49,835.01 with an annual interest rate of 5.99%.
2. The Secured Creditor has filed a claim in this case and the Debtor's plan makes no provisions for the payment of that claim or for the surrender to the Secured Creditor of the collateral securing said claim in violation of 11 U.S.C. 1325 (a)(b) and (c).
3. Debtor's Plan understates the amount of the Secured Creditor's claim by \$49,835.01, and does not provide sufficient funding to pay said claim including present value interest.
4. Accordingly, Debtor's Plan is not feasible, as it does not fully compensate the Secured Creditor.
5. In addition, the Debtor's Plan fails to comply with 11 U.S.C. §§ 1322 and 1325.

WHEREFORE, the Secured Creditor, BANK OF AMERICA, N.A., prays that the Court deny confirmation of the Debtor's Plan.

Respectfully submitted,

Date: June 26, 2020

By: **/s/ Rebecca A. Solarz, Esquire**
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